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APPLICATION NO.	, FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,528	-	07/19/2004	Kyle J. Sedlacek	2226.0	4527
9748	7590	05/31/2005		EXAMINER	
LAITRAN	Л, L.L.C.		BIDWELL, JAMES R		
LEGAL DE				ART UNIT	PAPER NUMBER
HARAHAN			3651		
				DATE MAILED: 05/31/200:	5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    SEDLACEK, KYLE J.     Examiner			Amplication No.	Applicant(a)					
Examiner  James R Bidwell  James R Bidw		·	Application No.	Applicant(s)					
James R Bidwell   3851			10/710,528	SEDLACEK, KYLE J.					
Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Estandard of the may be available under the provision of 37 CFR 1.136(a). In no event, however, may a reply be timely filled effects of the may be available under the provision of 37 CFR 1.136(a). In no event, however, may a reply be timely filled effects (SK (6) MONTH'S from the mailing date of this communication.  If the priod for reply is specified above, the mainture estations particle will apply and will acquire SIX (6) MONTH'S from the mailing date of this communication.  If the priod for reply is specified above, the mainture estations particle will apply and will acquire SIX (6) MONTH'S from the mailing date of this communication for reply specified between the mailing date of the communication, even if timely filled, may reduce any  Status  1) □ Responsive to communication(s) filled on 15 April 2005.  2a) □ This action is FINAL.  2b) □ This action is non-final.  3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) □ Claim(s) 1-25 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) 1-25 is/are allowed.  B) □ Claim(s) 2-25 is/are rejected.  7) □ Claim(s) is/are objected to.  B) □ Claim(s) is/are objected to by the Examiner.  10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.  Application Papers  9) □ The specification is objected to by the Examiner.  10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.  Application may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.82(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) □ he		Office Action Summary	Examiner	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 37 CFR i.136(a). In no event, however, may a roply be timely filed starts 5ft (s) (NONTHS from the mailing date of this communication.  If the period for raply specified above is less than thin; (30) days, a reply within the activary printing of thinty (30) days will be considered filenely.  If the period for raply specified above is less than thin; (30) days, a reply within the activary printing of thinty (30) days will be considered filenely.  If the period for raply specified above is less than thin; (30) days, a reply within the activation of the period of the period patient for may be activated patient for reply will, by the communication is the mailing date of this communication, even if timely filed, may reduce any search patient for a reply will, by the communication, even if timely filed, may reduce any search patient for a reply will, by the communication, even if timely filed, may reduce any search patient for a reply will, by a communication, even if timely filed, may reduce any search patient for a filed on 15 April 2005.  Status  1)  Responsive to communication(s) filed on 15 April 2005.  2a)  This action is FINAL.  2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-25 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) 1-21 is/are allowed.  6)  Claim(s) 1-21 is/are allowed.  6)  Claim(s) 2-22 is is/are rejected.  7)  Claim(s) is/are objected to.  8)  Claim(s) 2-22 is is/are rejected.  1)  The drawing(s) filed on is/are objected to by the Examiner.  4pplication Papers  9)  The specification is objected to by the Examiner.  10			James R Bidwell	3651					
THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be waitable under the provisions of 3 CPR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  If the princip for reply is specified above, in sea then thirty (30) days, are reply within the statistory principum of thirty (30) days will be considered timely.  If NO period for reply is specified above, the maximum statutory period will apply and will copine SIX (6) MONTHS from the mailing date of this communication.  No period for reply is specified above, the maximum statutory period will apply and will copine SIX (6) MONTHS from the mailing date of this communication, and the provision of the communication of the comm		• •	pears on the cover sheet with the c	correspondence address					
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<ul> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> </ul>	<i>a</i> )(		ts have been received.						
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application from the International Bureau (PCT Rule 17.2(a)).		<u> </u>							
			•						
* See the attached detailed Office action for a list of the certified copies not received.	* 5	• •	·	ed.					
Attachment(s)	Attachmen	ıt(s)							
1) Notice of References Cited (PTO-892)  4) Interview Summary (PTO-413)	1	• •	4) Interview Summary	y (PTO-413)					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  Paper No(s)/Mail Date	2) Notic	e of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail D	Date					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152)  6) Other:	'		,	Patent Application (PTO-152)					
U.S. Patent and Trademark Office PTOL-326 (Rev. 1-04)  Office Action Summary  Part of Paper No./Mail Date 20050525	U.S. Patent and T	rademark Office		art of Paner No /Mail Date 20050525					

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 22, 24 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Schroeder et al. (U.S. Patent 5,238,099).

Schroeder et al. show a roller-top belt 12 arranged to travel in a first loop and having rollers 30 extending beyond inner and outer sides of the belt (see figure 3) and a drive belt 40 which travels in a second loop inside the first loop whose outer surface is positionable into driving contact with rollers 30.

Re claims 24 and 25, it is inherent that the rollers and belt 40 are of suitable highfriction material such there is not slippage between the two.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schroeder et al. in view of Costanzo (U.S. Patent 6,758,323).

Schroeder et al. do not show rollers 30 as having axles. However, shown by Costanzo are transfer rollers 40 in Figure 4 that have axles. To include rollers with axles on Schroeder et al. would have been obvious to one of ordinary skill in the art as it

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might provide more control over the direction the rollers cause the engaged article to move.

Applicant's arguments filed 4/15/2005 have been fully considered but they are not persuasive. The second belt of Schroeder et al is clearly inside the loop of the first belt and it is in fact a drive belt. While some of the belt is outside the edges of the first belt it does not change the fact that the second loop runs within the first loop as is claimed.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Claims 1-21 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R Bidwell whose telephone number is (571)272-

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6910. The examiner can normally be reached on Tues.-Thur. from 6:30 to 4:00. The

examiner can also be reached on alternate Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kathy Matecki, can be reached on 571-272-6951. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

**JRB** 

5-25-2005

JAMES R. BIDWELL
PRIMARY EXAMINER 5/25/05
GROUP

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